

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

PHILIP FLOYD,
Plaintiff

vs.

ANDREA K. BOURESSA, *In her official
capacity as a State of Texas District Court
Judge for Collin County, Texas*, Et al
Defendants.

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CIVIL ACTION NO. 4:24-CV-00681

**PLAINTIFF’S RESPONSE TO JUDGE BOURESSA’S MOTION TO
STRIKE PLAINTIFF’S SUR-REPLY [DOC. 36]**

TO THE HONORABLE AILEEN GOLDMAN DURRETT:

COMES NOW, Philip Floyd and files this response to Judge Bouressa’s Motion to Strike Plaintiff’s Amended Complaint [Doc. 36] and shows this Court as follows:

PLAINTIFF’S FAILURE TO COMPLY WITH RULE 7(f)

Judge Bouressa complains that Plaintiff’s Sur-Reply (Doc. 36) is untimely and futile and should be stricken. Judge Bouressa’s motion to strike is moot since she filed a first amended motion to dismiss (Doc. 43) on 09/27/2024. Plaintiff filed a response to Doc. 43 on October 10, 2024 (Doc. 47) essentially addressing all relevant issues in original motion to dismiss (Doc. 13).

PRAYER

Plaintiff prays that the Motion to Strike filed by Defendant Bouressa be denied and she be required to file an answer in this cause as to both counts.

Respectfully submitted,

/s/ *Douglas T. Floyd*
DOUGLAS T. FLOYD
Attorney for Plaintiff
6521 Preston Rd., Suite 100

**PLAINTIFF’S RESPONSE TO JUDGE BOURESSA’S MOTION TO STRIKE
PLAINTIFF’S SUR-REPLY [DOC. 36]**

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CERTIFICATE OF SERVICE

I certify that a copy of the above Plaintiff's Response to Judge Bouressa's was served on October 15, 2024, upon all parties who have entered an appearance, using the CM/ECF system.

/s/ Douglas T. Floyd
DOUGLAS T. FLOYD